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HUMAN RESOURCES MANAGEMENT

Report of the Fifth Committee (Part III)

Rapporteur: Mr. Larbi DJACTA (Algeria)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 113 appear in the reports of the Committee contained in documents A/49/802 and Add.1.

2. The Fifth Committee further considered the item at its 46th and 53rd meetings, on 17 and 31 March 1995. In addition to the documents listed in paragraph 3 of document A/49/802 and paragraph 2 of document A/49/802/Add.1, the Committee had before it the report of the Secretary-General on the payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country (A/C.5/49/59).

3. Statements and observations made in the course of the Committee's further consideration of the item are reflected in the relevant summary records (A/C.5/49/SR.46 and 53).

II. CONSIDERATION OF PROPOSALS

4. At the 53rd meeting, on 31 March, the representative of Australia, following informal consultations, introduced a revised draft resolution entitled "Payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country" (A/C.5/49/L.40/Rev.1), and further orally revised it by inserting in operative paragraph 3, after the words "expatriate benefits", the phrase "to staff members living in their home country while stationed at duty stations located in another country".

5. At the same meeting, the Committee adopted the draft resolution, as further orally revised, without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country

The General Assembly,

Having considered the report of the Secretary-General on payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country, 1/

Recalling section II.D of its resolution 48/224 of 23 December 1993 on the United Nations common system, in which it requested the International Civil Service Commission to study further the practices of the organizations of the United Nations common system regarding the granting of expatriate entitlements to staff members living in their home country while stationed at duty stations located in another country, with a view to harmonizing the practices of the organizations with those of the United Nations, and to make recommendations thereon to the General Assembly at its fifty-first session,

Noting the decision of the United Nations Administrative Tribunal in Judgement No. 656, Kremer, Gourdon,

1. Reiterates its decision that the repatriation grant and other expatriate benefits be limited to staff who both work and reside in a country other than their home country;

2. Approves the amendments to the staff regulations contained in the annex to the present resolution;

3. Decides to re-examine the issue of entitlement to repatriation and other expatriate benefits to staff members living in their home country while stationed at duty stations located in another country during its fifty-first session, in the light of the report by the International Civil Service Commission requested in section II.D of its resolution 48/224 of 23 December 1993.

1/ A/C.5/49/59.

ANNEX

Amendments to the Staff Regulations of the United Nations

Article III

Salaries and related allowances

Replace the first sentence of regulation 3.2 (a) with the following text:

"Regulation 3.2: (a) The Secretary-General shall establish terms and conditions under which an education grant shall be available to a staff member residing and serving outside his or her recognized home country whose dependent child is in full-time attendance at a school, university or similar educational institution of a type that will, in the opinion of the Secretary-General, facilitate the child's reassimilation in the staff member's recognized home country."

Article V

Annual and special leave

Replace regulation 5.3 with the following text:

"Regulation 5.3: Eligible staff members shall be granted home leave once in every two years. However, in the case of designated duty stations having very difficult conditions of life and work, eligible staff members shall be granted home leave once in every twelve months. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in United Nations service, shall not be eligible for home leave."

Annex IV

Repatriation grant

Replace the paragraph with the following text:

"In principle, the repatriation grant shall be payable to staff members whom the Organization is obligated to repatriate and who at the time of separation are residing, by virtue of their service with the United Nations, outside their country of nationality. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed. Eligible staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Secretary-General."